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Attorney's Docket No. 0287-067001 / MGH 622.6

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Katia Georgopoulos

Art Unit : 1632

Serial No. : 09/755,830

Examiner : D. Crouch

Filed : January 5, 2001

Title : IKAROS REGULATORY ELEMENTS AND USES THEREOF

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TECH CENTER 1600/2900

Commissioner for Patents

Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

Responsive to the action mailed March 15, 2002, applicant elects the invention of Group I, claims 1-26 and 42-50, drawn to isolated Ikaros transcriptional control regions, transgenic animals, cells or tissues from the animal comprising a transgene including an Ikaros control region and a method to evaluate the development of a component or cell lineage of the immune system. Applicant respectfully traverses the requirement for the following reasons.

A proper requirement for restriction requires two conditions. The inventions must be independent (i.e., unconnected in design, operation or effect) or distinct (i.e., related but novel and unobvious over each other) and there must be a serious burden on the Examiner if restriction is required. See MPEP §803. With respect to groups I and II, the Examiner states that the groups "have acquired a separate status in the art as shown by their different classification and because of their recognized divergent subject matter." In fact, the Examiner has provided no evidence that groups I and II would have a separate status in the art or a different field of search. Indeed, in contrast to the Examiner's assertion, groups I and II are classified in the same class and subclass. Therefore, the Examiner has not established that a serious burden would be involved in searching groups I and II together. Accordingly, Applicants respectfully request that the present restriction requirement be withdrawn and that groups I and II be examined together.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit

June 13, 2002

Signature

Maria Reen

Maria Reen

Typed or Printed Name of Person Signing Certificate

Applicant : Katia Georgopoulos  
Serial No. : 09/755,830  
Filed : January 5, 2001  
Page : 2

Attorney's Docket No. 0287-067001 / MGH 622.6

A petition for a Two-Month Extension of Time and a check for the required fee are enclosed. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: June 13, 2002

*Lida Livanis, Reg. No. 50,635*  
for: Louis Myers  
Reg. No. 35,965

Fish & Richardson P.C.  
225 Franklin Street  
Boston, Massachusetts 02110-2804  
Telephone: (617) 542-5070  
Facsimile: (617) 542-8906

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